

## United States District Court

SOUTHERN

DISTRICT OF  
McALLEN DIVISION

TEXAS

UNITED STATES OF AMERICA  
V.

## CRIMINAL COMPLAINT

Andrew Bautista

YOB: 1994

Principal

United States

Case Number:

M-19-1149 -M

Lorena Oviedo

YOB: 1994

Co-Principal

United States

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about May 16, 2019 in Hidalgo County, in the Southern District of Texas defendants(s) did,  
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Asley Danilo Ramirez-Carpio, a citizen of Guatemala, and Cesar Reyes-Garcia, a citizen of Mexico, along with four (4) other undocumented aliens, for a total of six (6) who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Los Ebanos, Texas to another location near Penitas, Texas, by means of a motor vehicle

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

On May 16, 2019, a Texas Department of Public Safety (DPS) Trooper conducted a traffic stop on a blue Jeep for a seatbelt violation. As the Trooper approached the vehicle, he observed multiple subjects inside the vehicle including some laying in the cargo area. The Trooper identified the driver as Andrew BAUTISTA and front passenger as Lorena OVIEDO. The Trooper subsequently requested the assistance from Border Patrol; Supervisory Border Patrol Agent (SBPA) arrived on scene to assist the Trooper. After questioning, the SBPA determined that the six rear passengers were illegally present in the United States, BAUTISTA and OVIEDO were identified as United States citizens. All subjects were placed under arrest and transported to the Border Patrol Station for processing.

## SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ NoApproved by Amy L. Greenbaum 5/17/19  
Amy L. Greenbaum

Sworn to before me and subscribed in my presence,

May 17, 2019 - 3:29 p.m.  
DateJuan F. Alanis, U. S. Magistrate Judge  
Name and Title of Judicial Officer

Signature of Complainant

Gerardo Montalvo Border Patrol Agent

Printed Name of Complainant

at McAllen, Texas  
City and State

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

M-19-1149 -M

**RE: Andrew Bautista 0**  
**Lorena Oviedo 0**

**CONTINUATION:**

**PRINCIPAL STATEMENT:**

Andrew BAUTISTA was advised of his Miranda Rights and agreed to provide a sworn statement without an attorney.

BAUTISTA, a United States citizen, stated he was offered a job to pick up six illegal aliens near Sullivan City, Texas for \$1,200 (\$200 USD per person). BAUTISTA stated he accepted the job offer and decided to drive from his home in Harlingen, TX to Sullivan City, TX for the only purpose of picking up the illegal aliens. BAUTISTA stated that he was provided an address to the pickup location. BAUTISTA stated he proceeded to the location, picked up the illegal aliens, and was subsequently arrested. BAUTISTA stated he was supposed to drop off the illegal aliens in McAllen, Texas.

**CO-PRINCIPAL STATEMENT:**

Lorena Oviedo was advised of her Miranda Rights and agreed to provide a sworn statement without an attorney.

OVIEDO, a United States citizen, stated she was offered a job to pick up illegal aliens for \$100 (USD) per person. OVIEDO stated she knew it was illegal to transport illegal aliens. OVIEDO stated that she and her husband (BAUTISTA) drove about an hour for the only purpose of picking up the illegal aliens, OVIEDO was riding in the front passenger seat. OVIEDO stated that she was given a location to pick up the people. OVIEDO stated that a total of six people boarded the vehicle, three of them boarded the rear cargo area. OVIEDO admitted that she instructed the three people to lay down in the cargo area in order to avoid detection. OVIEDO stated they were supposed to drop off the illegal aliens in McAllen, Texas.

**MATERIAL WITNESS STATEMENTS:**

Asley Danilo RAMIREZ-Carpio and Cesar REYES-Garcia were read their Miranda Rights and agreed to provide a sworn statement without an attorney.

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RAMIREZ, a citizen of Guatemala, stated he made his smuggling arrangements and his brother paid \$2,000 (USD) for him to get smuggled into the United States. RAMIREZ stated he crossed the river in a raft. RAMIREZ stated he was told to wait at a location for a blue vehicle. RAMIREZ stated that after waiting for about eight hours, they were called by the foot-guide and were told the vehicle was outside. RAMIREZ stated that they boarded the vehicle and heard the driver tell them to relax.

RAMIREZ identified Lorena OVIEDO, through an official CBP photo lineup, as the front passenger of the vehicle.

REYES identified Andrew BAUTISTA, through an official CBP photo lineup, as the driver who picked them up.

REYES identified Lorena OVIEDO, through an official CBP photo lineup, as the front passenger of the vehicle.